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Message Text

SECRET

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65
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 CIAE-00 DODE-00 INRE-00

ERDE-00 ACDE-00 /026 W
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FM AMEMBASSY MOSCOW
TO SECSTATE WASHDC IMMEDIATE 6248

S E C R E T MOSCOW 15657

EXDIS

E.O. 11652 XGDS-3
TAGS: PARM, US, UR
SUBJ: TTBT/PNE NEGOTIATIONS: DRAFT TREATY ARTICLE III
TTBT/PNE DELEGATION MESSAGE NO. 84

1. PARA 2 CONTAINS JOINT DRAFT TEXT OF TREATY ARTICLE III, AD REFERENDUM TO DELEGATIONS, SUBJECT TO AGREEMENT ON ADEQUATE VERIFICATION PROVISIONS, AND SUBJECT TO LEGAL REVIEW OF ADEQUACY OF THIS FORMULATION.

2. BEGIN TEXT:

1. EACH PART SHALL HAVE THE RIGHT TO CARRY OUT UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES AT ANY PLACE UNDER ITS JURISDICTION OR CONTROL, AND ALSO TO CARRY OUT, PARTICIPATE OR ASSIST IN THE CARRYING OUT OF, SUCH EXPLOSIONS IN THE TERRITORY OF ANOTHER STATE AT THE REQUEST OF THAT STATE, EXCEPT AS PROHIBITED OR LIMITED BY THE PROVISIONS OF THIS TREATY AND (X) ITS PROTOCOLS (XX) (Y) THE PROTOCOL THERETO (YY).

2. EACH PARTY UNDERTAKES NOT TO CARRY OUT, AND TO PROHIBIT AND PREVENT THE CARRYING OUT OF, AT ANY PLACE UNDER ITS JURISDICTION OR CONTROL, AND FURTHER UNDERTAKES NOT TO CARRY OUT, PARTICIPATE OR ASSIST IN THE CARRYING OUT OF, AT ANY OTHER PLACE:

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(A) ANY INDIVIDUAL EXPLOSION HAVING A YIELD EXCEEDING

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150 KILOTONS;

(Y) (B) MORE THAN 3 INDIVIDUAL EXPLOSIONS WITH A YIELD OF MORE THAN 150 KILOTONS WITHIN ONE YEAR PERIOD. (YY)

(X) (B) (XX) (Y) (C) (YY) ANY GROUP EXPLOSION:

(1) HAVING AN AGGREGATE GROUP YIELD EXCEEDING 150 KILOTONS EXCEPT IN WAYS THAT WILL PERMIT IDENTIFICATION OF EACH EXPLOSION AND (X) MEASUREMENT OF THE YIELD OF EACH EXPLOSION IN THE GROUP (XX) (Y) CONFIRM THAT ITS YIELD DOES NOT EXCEED 150 KILOTONS, (YY) IN ACCORDANCE WITH THE PROVISIONS OF ARITICLE IV OF AND (Y) THE (YY) PROTOCOL (X) II (XX) TO THIS TREATY; OR

(2) HAVING AN AGGREGATE GROUP YIELD EXCEEDING (X) 1000 KILOTONS (XX) (Y) 2 MEGATONS (YY);

(X) (C) (XX) (Y) (D) (YY) ANY EXPLOSION WHICH DOES NOT CARRY OUT A PEACEFUL APPLICATION OF UNDERGROUND NUCLEAR EXPLOSSIONS;

(X) (D) (XX) (Y) (E) (YY) ANY EXPLOSION WHICH DOES NOT COMPLY WITH (X) THE OBLIGATIONS UNDERTAKEN IN ACCORDANCE WITH THE PROVISIONS OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER AND (XX) THE OBLIGATIONS UNDERTAKEN BY THAT PARTY IN ACCORDANCE WITH THE PROVISIONS OF OTHER INTERNATIONAL AGREEMENTS. END TEXT.

3. COMMENT: IT HAS REPEATEDLY BEEN MADE CLEAR TO TIMERBAEV THAT TWO-TRACK, RIGHTS/LIMITATIVE APPROACH TO ARTICLE III ADVOCATED BY SOVIETS SIGNIFICANTLY COMPLICATES DRAFTING TALKS,AND GREATLY EXPANDS AND CONVOLUTES TEXT. END COMMENT.
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